

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

GARY RAY,

Plaintiff,

vs.

ROCKY MOUNTAIN GLASS AND TINT,
INC., et al.,

Defendant.

Case No. 17-CV-13-JHP-FHM

OPINION AND ORDER

Plaintiff's Motion to Compel Discovery Responses Limited to the Issue of Personal Jurisdiction, [Dkt. 23], is before the undersigned United States Magistrate Judge for decision. Defendants have filed a response brief, [Dkt. 24]. The undersigned sees no reason to await a reply brief before issuing an order.

Defendants have sought to dismiss this action for lack of personal jurisdiction. The court granted Plaintiff's motion to conduct discovery, limited to the issue of personal jurisdiction and set September 29, 2017 as the deadline for such discovery. [Dkt. 17]. Plaintiff moved for additional time in which to conduct discovery and for expedited response time for defendants to answer admissions, interrogatories, and produce documents. [Dkt. 18]. The court granted Plaintiff's motion by minute order, the text of which follows:

MINUTE ORDER by Judge James H Payne : *Granting plaintiff's motion; setting/resetting deadline(s)/hearing(s): discovery is limited to the issue of personal jurisdiction (Discovery due by 11/17/2017, Responses due by 11/30/2017, Replies due by 12/14/2017); granting 18 Motion to Accelerate/Extend/Reset Hearing(s)/Deadline(s) (Re: 21 MOTION to Dismiss for Lack of Jurisdiction Refiled) (This entry is the Official Order of the Court. No document is attached.) (pll, Dpty Clk) (Entered: 10/20/2017).*

[Dkt. 22].

Although the Minute Order is not entirely unambiguous as to when Defendants discovery responses are due, the Minute Order unmistakably granted Plaintiff's motion, which requested expedited response time for Defendants to answer discovery. The minute order cannot be read, as Defendants suggest, to have extended the time for discovery by fewer than 30 days so that Defendants would never be required to respond. Defendants' interpretation is frankly unreasonable.

Plaintiff's Motion to Compel Discovery Responses Limited to the Issue of Personal Jurisdiction, [Dkt. 23], is GRANTED. Defendants are required to serve responses to the outstanding discovery concerning personal jurisdiction on or before December 12, 2017.

SO ORDERED this 5th day of December, 2017.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE